

# Legislative References

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## Relevant Budget Legislative References

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### State Code

Sec. 58.785.1: Requires that the local tax rate must be adopted by June 30, but after April 15.

### City Charter

#### General Provisions

Sec. 3.04 (b): The City Council shall have the power to adopt the budget of the City.

Sec. 4.02 (c): The City Manager shall have the power and shall be required to prepare and submit the annual budget to the City Council as provided in the Charter, and shall be responsible for its administration.

Sec. 5.07: The City Manager may at any time transfer any unencumbered appropriation or portion thereof within the accounts of an office, department or agency. The City Council when advised of the details by the City Manager may, by duly docketed resolution, transfer any unencumbered appropriation balance or portion thereof from one office, department or agency to another.

Sec. 6.03: Each department head, the judges of the courts, each board or commission, and any other office or agency supported by the City, is required to file with the City Manager, at the prescribed time, all estimates of revenue and expenditure for the ensuing fiscal year. Such estimates shall be submitted on forms furnished by the finance director and all information required by the City Manager is to be submitted thereon. The City Manager shall hold staff hearings to review and revise these estimates as (s)he may deem advisable.

Sec. 6.05: In no event shall the expenditures recommended by the City Manager in the general budget exceed the receipts estimated, taking into account the estimated cash surplus or deficit at the end of the current fiscal year, unless property assessments have been raised or unless the City Manager shall recommend an increase in the rate of ad valorem taxes on real estate and tangible personal property or other new or increased taxes, licenses or other sources. Receipts from increased taxes, licenses or other sources shall be estimated on the basis of the average rate of increased collections during the preceding two fiscal years except in instances in which the City Manager submits, as a part of the budget, a written statement explaining any estimate that is made on some other basis. Receipts from new taxes, licenses or other sources shall be estimated on information available for other cities, the State of Virginia or other states, the federal government or other appropriate sources. If estimated receipts exceed estimated expenditures, the City Manager may recommend revisions in the tax, license or other ordinances of the City in order to bring the general fund budget into balance.

Sec. 6.08: The budget and budget message and all supporting schedules shall be a public record in the office of the City Manager, open to public inspection after the budget has been submitted to the Council and made public by it; provided, however, that no department or

agency head, judge or board or commission, manager or director of finance shall divulge details of the proposed budget estimates until the budget has been submitted to the Council and made public by it.

Sec 6.08.1: The school board shall, prior to the time work has begun on the school budget, hold a public informational hearing to receive suggestions from the public concerning the school budget. The school board shall also hold a public hearing on its proposed budget prior to submitting it to the City Manager. The school board shall cause a notice of the time and place of each public hearing to be published in a newspaper of general circulation in the City at least seven days prior to the hearing. The school board shall also cause copies of the proposed budget to be available to the public at least seven days prior to the public hearing on the proposed budget. The school board may submit to the City Manager as its proposed budget the same proposed budget considered at the public hearing or it may, subsequent to said public hearing, submit a revised proposed budget.

#### **Responsibility of the City Manager for the Budget:**

Sec. 6.02: The City Manager is required to submit a general budget, a capital budget and an explanatory budget message in the form and with the contents provided by the Charter.

Sec. 6.04: The general budget shall contain:

(a) An estimate of that portion of surplus cash remaining at the end of the fiscal year which is to be used in meeting expenditures in the general budget;

(b) An estimate of receipts from current ad-valorem taxes on real estate and personal property, and from all other sources;

(c) A statement of debt service requirements;

(d) An estimate of cash deficit, if any, at the end of the current fiscal year, and an estimate of obligations required by the Charter to be budgeted for the ensuing year; and,

(e) An estimate of expenditures for all other purposes to be met in the coming fiscal year.

Sec. 6.05: In no event shall the expenditures recommended by the City Manager in the general budget exceed the receipts estimated, taking into account the estimated cash surplus or deficit at the end of the current fiscal year, unless property assessments have been raised or unless the City Manager shall recommend an increase in the rate of ad valorem taxes on real estate and tangible personal property or other new or increased taxes, licenses or other sources.

Sec. 6.06: The explanatory budget message shall contain an outline of the proposed financial policies of the City for the budget year and a description of the important features of the budget plan. Major policy changes are to be explained and reasons for

salient changes in cost and revenue items from the previous year are to be indicated. A statement of pending capital projects and proposed new projects, with proposed financing plans, shall be included.

Sec. 6.07: At the same time that the City Manager submits a general budget (s)he may also submit a general appropriation ordinance and those additional tax ordinances as may be required to balance the proposed budget.

Sec. 6.14: The capital budget is a budget of the proposed capital improvements projects for the ensuing fiscal year and for five years thereafter, with recommendations for financing the proposed improvements for the coming year.

#### **Responsibility of the City Council for the Budget:**

Sec. 6.09: At the meeting of the City Council at which the budget and budget message are submitted, the Council shall determine the place and time (at least sixty days prior to the beginning of the budget year) of a public hearing on the budget, and shall publish a notice of said place and time, which shall not be less than seven days after the date of publication.

Sec. 6.10: All interested persons shall be given an opportunity to be heard at the public meeting for or against any of the estimates of any item of the budget.

Sec. 6.11: After the conclusion of the public hearing the City Council may insert new items of expenditure or may increase, decrease or strike out items of expenditure in the general fund budget, except that no items or expenditures for debt service or other provision of law shall be reduced or stricken out. The City Council shall adopt a balanced budget, or adopt measures for providing additional revenues in the case that expenditures exceed revenues.

Sec. 6.12: The budget shall be adopted by the votes of at least a majority of Council not later than the 27th day of June. If the City Council has not taken final action on or before this date, the budget as submitted shall be deemed to have been finally adopted by the Council.

Sec. 6.13: An appropriation in addition to those contained in the general appropriation ordinance, except for the purpose of meeting a public emergency as provided for elsewhere in this charter, may be made by the Council, by not less than a majority affirmative vote of all members of Council, only if there is available in the general fund a sum unencumbered and unappropriated sufficient to meet such appropriation.

Sec. 6.14: The City Council shall hold at least one public hearing on the capital budget and shall take final action not later than twenty days after June 27, the date prescribed for the adoption of the general budget.

Sec. 6.15: The City Council may establish by ordinance a reserve fund for permanent public improvements and may appropriate thereto any portion of the general fund cash surplus not otherwise appropriated at the close of the fiscal year.

City Ordinances and Resolutions

**Ordinance 4291 - Adopted February 22, 2003,<sup>1</sup>  
Establishing the Budget and Fiscal Affairs Advisory Committee**

AN ORDINANCE to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS), of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Article R (BUDGET AND FISCAL AFFAIRS ADVISORY COMMITTEE).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 2 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding thereto a new Article R to read as follows:

ARTICLE R

Budget and Fiscal Affairs Advisory Committee

Sec. 2-4-130      Creation, composition, organization and term.

(a) The Budget and Fiscal Affairs Advisory Committee initially established by Resolution No. 1464, is hereby established by ordinance and designated as a standing committee known as the Budget and Fiscal Affairs Advisory Committee.

(b) The members of the committee shall be appointed by the City Council as follows:

- (1) seven members, one each of whom shall be designated by the mayor and members of city council;
- (2) three members appointed at-large in accordance with the provisions of section 2-4-7 of this code;
- (3) one member designated by the Alexandria School Board; and
- (4) two members designated by the Alexandria Chamber of Commerce.

(c) The members designated by the mayor and members of city council, the school board, or the chamber of commerce shall serve at the pleasure of the mayor, member of council, school board or chamber of commerce designating such person, and any vacancies in such positions shall be filled in the same manner as the original appointment. Members appointed at large shall serve for a term of two years, and vacancies and reappointments shall be handled in the manner prescribed in section 2-4-7 of this code.

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<sup>1</sup>The Budget and Fiscal Affairs Advisory Committee was established July 2, 1985, by Resolution 1129. Resolution 1464 amended Resolution 1129 by adding two representative of the Chamber of Commerce to the committee. Resolution 1129 has been replaced by Ordinance 4291 as a result of Council action on February 22, 2003.

- (d) All members of the committee shall:
- (1) by virtue of their education and employment in the public or private sector, have demonstrated competence in one or more of the following areas: accounting, financial analysis, budget and fiscal management, public finance, or urban economics;
  - (2) be residents of and residing in the City of Alexandria at the time of appointment and continue to do so during the term of their appointment. The provisions of section 2-4-7(d) notwithstanding, this provision may not be waived; and
  - (3) not be (i) a member of any other board or commission having one or more members appointed by the city council, or (ii) an employee of the city, the school board, the Alexandria Chamber of Commerce, or any agency of any such entity or organization.
  - (4) declare to the committee their position as an officer or director of any entity or organization, and abstain from discussing, participating or voting on any matter before the committee, that directly relates to any appropriation or grant made or awarded by or through the city to the entity or organization of which the member is an officer or director.

Sec. 2-4-131 Functions, powers and duties; staff assistance.

(a) The functions, powers and duties of the committee shall be to advise and support the city council as to:

- (1) an examination of the city's budget procedures and process and ways of improving such procedures and process, including participation by the public therein;
- (2) the forecasting of future revenue and expenditure requirements and the effect on the several taxes and fees levied by the city and burden of taxation imposed on Alexandria citizens and business organizations;
- (3) an evaluation of the comparative tax, revenue and expenditure levels in Alexandria with those in neighboring jurisdictions and the effect of such differences on the ability of Alexandria to attract new residents and economic development; and
- (4) such other tasks as may be requested by the city council.

(b) Except as expressly provided in this article, the committee may adopt rules and regulations in regard to procedure and other matters for the conduct of its business, so long as the same are not inconsistent with the city code, including, but not limited to, the establishment of committees through which it may carry on its functions, duties and purpose.

(c) Subject to the availability of funds and staff, and recognizing that the city manager must give priority attention to requests from the city council, the city manager is authorized to provide such staff or other assistance to the committee as requested, and to make such information available to the committee as is available to the public generally.

Section 2. That no provision of this ordinance shall be deemed to affect the appointments or terms of the members of the Budget and Fiscal Affairs Advisory Committee in office on the effective date hereof.

Section 3. That Resolution No. 1464 be, and the same hereby is, rescinded.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage.

**Resolution No. 2088**  
**Budget Resolution Regarding the Treatment of**  
**Final Revenue Adjustments During the Budget Process**

WHEREAS, the City of Alexandria and the Greater Washington region face continued economic challenges; and

WHEREAS, the Alexandria City Council has previously exhibited restraint when considering its annual budget and financial policies; and

WHEREAS, the Alexandria City Council wishes to establish structure surrounding upcoming budget deliberations to ensure responsible actions with current economic resources;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alexandria, Virginia, that the Council shall, for the purposes of consideration of the Budget for the City of Alexandria, adhere to the following rules of procedure:

Section (a) Proposed Budget for the City of Alexandria -

(1) For purposes of this resolution, the budget baseline of revenue rates and expenditure levels for the fiscal year shall be that proposed by the City Manager of the City of Alexandria.

(2) For purposes of this resolution, the Office of Management and Budget shall provide revenue and/or expenditure projections for any motion or amendment which could affect the proposed budget specified in paragraph (1).

Section (b) Maximum Expenditure Levels May Not Exceed Sum of Projected Revenue and Appropriation from Undesignated Fund Balance in Proposed Budget -

(1) It shall not be in order in the Alexandria City Council to consider any motion or amendment to the proposed budget of the City of Alexandria if such motion or amendment would have the effect of increasing any specific budget outlays above the level of such outlays contained in the proposed budget specified in section (a) of this resolution, or would have the effect of reducing any specific revenues below the level contained in the proposed budget specified in section (a) of this resolution, unless such motion or amendment makes at least an equivalent reduction in other specific budget outlays, identifies an equivalent increase in other specific revenues, or an equivalent combination thereof.

(2) In the Alexandria City Council, any appropriation from the Undesignated Fund Balance or any like account beyond that proposed in the Manager's proposed budget shall require an affirmative vote of five Council Members.

(3) In the event that the City Manager recommends final revenue adjustments that result in a net increase or net decrease from the revenue estimates specified in section (a) of this resolution, the net change in the revenue estimate shall be reflected as a change in the proposed appropriation from the Undesignated Fund Balance. As specified in Section 2 (b), any appropriation from the Undesignated Fund Balance beyond that proposed in the Manager's proposed budget, including the net effect of final revenue adjustments, shall require an affirmative vote of five Council Members.

Section (c) Expiration -- The provisions of this resolution shall expire on June 30, 2006.



## **RESOLUTION NO. 2150**

WHEREAS, the City of Alexandria's Fiscal Year 2006 General Fund Budget, as approved by City Council on May 2, 2005, provided a reduction in the real estate tax rate by 8 cents from \$0.995 to \$0.915; and

WHEREAS, this tax rate reduction was the largest single real estate tax rate reduction in 17 years and maintains Alexandria's real estate tax rate as among the lowest in Northern Virginia; and

WHEREAS, in spite of this tax rate reduction, average real estate property taxes for the average residential property in Alexandria would increase 11.5 percent in 2005 due to rising real property assessments; and

WHEREAS, residential real estate taxes have borne an increasing share of the burden of paying for City and School services; and

WHEREAS, the City Council is committed to managing the growth of City General Fund operating and capital expenditures in order to help address the issue of increasing residential real estate taxes; and

WHEREAS, the City Council also is committed to continuing to perform fully its obligations, to continue to provide quality services and facilities for the residents and businesses of Alexandria, to maintain competitive compensation for City and School employees, to see continuous improvement in City government effectiveness and efficiency, and to achieve the vision and strategic goals and objectives outlined in the City Council's adopted Strategic Plan; and

WHEREAS, Council's deliberations on the budget each and every year reflect a balancing of the needs of the community with the community's ability to afford meeting those needs; and

WHEREAS, more time during the budget process is necessary for the City Council and the community to deliberate on the various issues raised given the budget's complexity and importance;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA**

1. That the City Manager shall begin immediately to plan and prepare the FY 2007 Operating Budget and FY 2007 - 2012 Capital Improvement Program and that such preparations shall include, but not be limited to, requests for City departments to identify efficiencies, low priority programs not crucial to achieving City Council strategic objectives, potential discretionary supplemental increases for FY 2007 crucial to achieving City Council's strategic objectives, and potential City-wide process changes that would be beneficial to City operations and to the public.

2. That the City Manager shall present to City Council in time for the fall Council Retreat a preliminary forecast and outlook for (a) revenues (including the outlook for real estate assessments), (b) expenditures necessary to maintain appropriate services and policies (including in the City Manager's forecast of cash capital and debt service costs related to the approved FY 2006 - 2011 Capital Improvement Program), (c) the outlook for additional

requests for City operating needs in FY 2007 and capital needs in FY 2007 through FY 2012, (d) the outlook for Federal and State grants, and (e) the outlook for the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

3. That the Alexandria City School System shall separately present to City Council, but in a format coordinated with the City Manager, its preliminary forecast and outlook for (a) expenditures necessary to maintain appropriate services and policies, (b) the outlook for additional requests for Schools operating in FY 2007 and capital needs through FY 2007 through FY 2012, (c) the outlook for Federal and State grants, and (d) the outlook for the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

4. That as part of its fall Retreat, City Council will consider this information and any other relevant information available to it at that time from the efforts described above, including citizen input to be provided by a public hearing on the FY 2007 budget to be conducted prior to City Council's fall Retreat.

5. That City Council shall, as a result of information available to it at the Retreat, direct that the City Manager prepare a budget resolution to be adopted by City Council to guide the preparation of the FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program and that such a resolution would contain (a) a target for City General Fund expenditure growth (including cash capital and debt service), (b) a target for a budget transfer to the Alexandria City Public Schools for operating expenses and capital expenditure needs in FY 2007 to FY 2012, and (c) a calculation of the estimated difference between FY 2007 preliminary forecast revenues and the expenditure targets to be established by City Council.

6. That City Council plans to adopt such a budget resolution during the month of November 2006.

7. That the Board of the Alexandria City School Schools is requested to approve a FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program by no later than January 31, 2006. Such budget shall seek not to exceed the Council approved budget targets for the Operating Budget transfer and Capital Improvement Program given to the Alexandria City Public Schools, and clearly identify what operating programs and activities and capital projects would be funded if additional funding were provided above that target.

8. That the City Manager shall submit a proposed FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program to the City Council no later than February 14, 2006, that does not exceed the target for General Fund expenditure growth established by City Council, and clearly identifies what operating programs and activities and capital projects would be recommended if additional funding were provided, and/or what tax rate changes could be enacted with whatever additional revenues might be available above the revenues needed to meet the expenditure target and still provide a structurally sound budget.

9. That City Council shall consider these recommendations and endeavor to enact a FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program that balances the needs of the community with the community's ability to afford meeting those needs.

## **RESOLUTION NO. 2166**

WHEREAS, the City Council of Alexandria passed Resolution 2150 on May 2, 2005 that made changes in the process to be used for formulating the FY 2007 budget; and

WHEREAS, Resolution 2150 provided:

Section 1. That the City Manager shall begin immediately to plan and prepare the FY 2007 Operating Budget and FY 2007 - 2012 Capital Improvement Program and that such preparations shall include, but not be limited to, requests for City departments to identify efficiencies, low priority programs not crucial to achieving City Council strategic objectives, potential discretionary supplemental increases for FY 2007 crucial to achieving City Council's strategic objectives, and potential City-wide process changes that would be beneficial to City operations and to the public.

Section 2. That the City Manager shall present to City Council in time for the fall Council Retreat a preliminary forecast and outlook for (a) revenues (including the outlook for real estate assessments), (b) expenditures necessary to maintain appropriate services and policies (including in the City Manager's forecast of cash capital and debt service costs related to the approved FY 2006 - 2011 Capital Improvement Program), (c) the outlook for additional requests for City operating needs in FY 2007 and capital needs in FY 2007 through FY 2012, (d) the outlook for Federal and State grants, and (e) the outlook for the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

Section 3. That the Alexandria City School System shall separately present to City Council, but in a format coordinated with the City Manager, its preliminary forecast and outlook for (a) expenditures necessary to maintain appropriate services and policies, (b) the outlook for additional requests for Schools operating in FY 2007 and capital needs through FY 2007 through FY 2012, (c) the outlook for Federal and State grants, and (d) the outlook for the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

Section 4. That as part of its fall Retreat, City Council will consider this information and any other relevant information available to it at that time from the efforts described above, including citizen input to be provided by a public hearing on the FY 2007 budget to be conducted prior to City Council's fall Retreat.

Section 5. That City Council shall, as a result of information available to it at the Retreat, direct that the City Manager prepare a budget resolution to be adopted by City Council to guide the preparation of the FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program and that such a resolution would contain (a) a target for City General Fund expenditure growth (including cash capital and debt service), (b) a target for a budget transfer to the Alexandria City Public Schools for operating expenses and capital expenditure needs in FY 2007 to FY 2012, and (c) a calculation of the estimated difference between FY 2007 preliminary forecast revenues and the expenditure targets to be established by City Council.

Section 6. That City Council plans to adopt such a budget resolution during the month of November 2005.

Section 7. That the Board of the Alexandria City School Schools is requested to approve a FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program by no later than January 31, 2006. Such budget shall seek not to exceed the Council approved budget targets for the Operating Budget transfer and Capital Improvement Program given to the Alexandria City Public Schools, and clearly identify what operating programs and activities and capital projects would be funded if additional funding were provided above that target.

Section 8. That the City Manager shall submit a proposed FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program to the City Council no later than February 14, 2006, that does not exceed the target for General Fund expenditure growth established by City Council, and clearly identifies what operating programs and activities and capital projects would be recommended if additional funding were provided, and/or what tax rate changes could be enacted with whatever additional revenues might be available above the revenues needed to meet the expenditure target and still provide a structurally sound budget.

Section 9. That City Council shall consider these recommendations and endeavor to enact a FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program that balances the needs of the community with the community's ability to afford meeting those needs; and

WHEREAS, the City Council has held a public hearing on October 15, 2005 on the FY 2007 budget; and

WHEREAS, the City Manager and the Alexandria City Public Schools have presented to City Council at its October 29, 2005 retreat their preliminary forecasts of revenues, expenditures and capital needs; and

WHEREAS, the City Council is committed to managing the growth of City General Fund operating and capital expenditures in order to help address the issue of increasing residential real estate taxes; and

WHEREAS, the City Council also is committed to continuing to perform fully its obligations, to continue to provide quality services and facilities for the residents and businesses of Alexandria, to maintain competitive compensation for City and School employees, to see continuous improvement in City government effectiveness and efficiency, and to achieve the vision and strategic goals and objectives outlined in the City Council's adopted Strategic Plan; and

WHEREAS, Council's deliberations on the budget each and every year reflect a balancing of the needs of the community with the community's ability to afford meeting those needs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA:

1. That the City Manager shall submit a proposed FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program to the City Council no later than February 14, 2006, that does not exceed a target of \$350.5 million for General Fund expenditures as well as an alternative target of \$343.6 million for General Fund expenditures. Neither this target

nor the alternative target includes the operating budget transfer to the Alexandria City Public Schools. The targets exclude funds for whatever cost of living adjustment is provided to City employees.

2. That the School Board of the Alexandria City Public Schools is requested to approve a FY 2007 Operating Budget by no later than January 31, 2006. Such budget shall seek not to exceed a target of \$148.9 million for the operating budget transfer provided to the Alexandria City Public Schools, as well as an alternative target of \$146.0 million for the operating budget transfer provided to the Alexandria City Public Schools. Both the target and the alternative target for the operating budget transfer exclude funds for whatever cost of living adjustment is provided to School employees.

3. That the budget documents of the City Manager and the School Board shall clearly describe and compare the target budget and alternative target budget in regard to the details of what operating programs, activities and capital projects could be funded within one target budget and not the other target budget. In addition, the budget documents also may outline operating programs, activities, capital projects and other policy options that may exceed the target budget or the alternative target budget.

4. That the proposed cost of living pay adjustment allowance for City and Schools employees will be recommended by the City Manager after consultation with the School Superintendent. A different cost of living pay adjustment may be recommended by the City Manager for the alternative target budget.

5. That the City Manager propose a budget real estate tax rate necessary for financing the target budget, as well as provide tax, fee and other revenue options necessary for financing the alternative target budget, as appropriate.